



Date: March 20, 2023

To: Wanda S. Page, City Manager
Through: Bertha T. Johnson, Deputy City Manager
From: Marvin G. Williams, Director, Department of Public Works
Subject: Drainage Structure Access and Stabilization (SD-2023-01)

Executive Summary

On February 9, 2023, bids were opened for Contract SD-2023-01, Drainage Structure Access and Stabilization. The project includes the furnishing of all materials, labor, equipment, tools, etc. unless otherwise specified, for the complete installation of repairs of stormwater drainage systems at various site locations throughout the City of Durham. This contract includes work in the City’s designated Equitable and Green Infrastructure Communities. The lowest responsive, responsible bid was submitted by White Oak Construction Corp. of N.C., of New Hill, North Carolina. The Department of Public Works recommends that the City Council authorize the City Manager to execute a contract with White Oak Construction Corp. of N.C., for Contract SD-2023-01 in the amount of \$373,969.

Motion

To authorize the City Manager to execute Contract SD-2023-01, Drainage Structure Access and Stabilization, with White Oak Construction Corp. of N.C. in the amount of \$373,969;

To establish a contingency fund in the amount of \$56,095; and

To authorize the City Manager to negotiate change orders for Contract SD-2023-01 provided that the total contract cost does not exceed \$430,064.

Background

The contract involves the furnishing of all materials, labor, equipment, tools, etc. unless otherwise specified, for the complete installation of repairs, rehabilitation, and improvements of stormwater drainage infrastructure systems at various site locations throughout the City of Durham. Thirteen project sites will be addressed as part of this work. The sites are located within City rights-of-way and City-owned property.

Issues and Analysis

The Department of Public Works initially advertised the project on December 2, 2022 exclusively to the City’s Small Local Business Enterprise (SLBE) program participants. At the bid opening on January 6, 2023, only one bid was received. The Department of Public Works re-advertised a second bid opening and bids were opened on February 9, 2023. Two bids were received.

The following is a summary of bids received:

White Oak Construction Corp. of N.C.	\$373,969	Low Bid
Mohammad Construction, LLC	\$1,861,963.50	

The Public Works Department recommends awarding Contract SD-2023-01 to White Oak Construction Corp. of N.C. in the amount of \$373,969.

Alternatives

City Council could elect to not approve the contract. If the contract is not approved the construction schedule would be delayed and construction costs could increase due to the continued rise in construction costs.

Financial Impact

This project is budgeted for in the adopted Capital Improvements Project Ordinance (#15954) for storm drainage repairs following accounts.

4300L045-731000-LK107 (Construction in Progress):	\$373,969
4300L045-731900-LK107 (Contract Contingencies):	\$56,095
Total:	\$430,064

Equal Business Opportunity Summary

The Finance Department’s Underutilized Business Compliance Division reviewed the bid submitted by White Oak Construction Corp. of N.C. to determine if they are in compliance with the Ordinance to Promote Equal Business Opportunities in City Contracting. The goals for this project are MUBE 11% and WUBE 7%. Both Minority and Women goals were met. White Oak Construction is in compliance with the Ordinance to promote Equal Business Opportunities in City Contracting.

UBE REQUIREMENTS

White Oak Construction Corp. of N.C. will utilize the following certified firms:

Firm	ID	City/State	Amount	% of Contract
Cruz Concrete Experts	MUBE	Graham, NC	\$44,000	11%
Southern Garden	WUBE	Cary, NC	\$28,000	7%

Contractor Workforce Diversity & Hiring Practices

According to the contractor’s responses to the “Contractor Workforce Diversity Questionnaire,” the contractor is a small employer (less than 50 employees) consisting of professional and skilled (includes technicians and clerical) workers. The contractor believes it has a diverse workforce because “We are a small 12-person company that has always had a diverse workforce. We have 1 female and 9 minority employees.” The contractor did not list examples of efforts it makes to have a more diverse workforce.

WORKFORCE STATISTICS

Total Workforce:

Employment Category	Total Employees	Total Males	Total Females
Project Manager	1	1	0
Professional	2	2	0
Technical	-	-	-
Clerical	2	1	1
Labor	7	7	0
Total	12	11	1

Male:

Employment Category	White	Black	Hispanic	Asian or Pacific Islander	Indian or Alaskan Native
Project Manager	1	0	0	0	0
Professional	0	0	2	0	0
Technical	-	-	-	-	-
Clerical	1	0	0	0	0
Labor	0	0	7	0	0
Total	2	0	9	0	0

Female:

Employment Category	White	Black	Hispanic	Asian or Pacific Islander	Indian or Alaskan Native
Project Manager	0	0	0	0	0
Professional	1	0	0	0	0
Technical	-	-	-	-	-
Clerical	0	0	0	0	0
Labor	0	0	0	0	0
Total	1	0	0	0	0

Attachments

1. Contract SD-2023-01, Agreement Form, dated April 3, 2023